IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 10023 of 2004

Between:
C.Yellamma, W/o Subbayya,
R/o 20-3-27, Sivajyothi Nagar, Satyannarayanapuram (Post),
Tirupathi.

..... PETITIONER

AND

1 The Executive Officer (General) (POTU) TTD, Administration Building, Tirupathi.
2 C.Subbaiah, S/o Penchalaiah,
Tirupathi, R/o H.No.2, 'C' Type, Vaikuntapuram, MR Palle (Post), Tirupathi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate Writ, Order or direction, declaring the action of the respondent No.1 of not issuing the Memo in response to the petitioner representation of stopping the retirement benefits to the respondent No.2 is illegal, arbitrary and against to the principles of natural justice and further directing the respondent No.1 to pay half of the Retirement benefits along with pension

Counsel for the Petitioner: SMT.T.H.SOWBHAGYA LAKSHMI

Counsel for the Respondent No1.: MR.A.K.JAYA PRAKASHA RAO

Counsel for the Respondent No 2:……..

The Court at the admission stage Made the Following :

ORDER:

The present writ petition is filed for declaring the action of the 1st respondent for not issuing the memo in response to the petitioner's representation of stoppage of the retirement benefits to the 2nd respondent who is going to be retired from service on 30-06-2004 from the 1st respondent, as illegal.

The grievance of the petitioner is that if the 2nd respondent takes his retirement benefits, the petitioner who is the wife of the 2nd respondent will not get any amount at all. According to the petitioner, she availed loans to perform the marriage of her daughters. Therefore, she made a representation to the 1st respondent to stop all his retirement benefits. Hence, the present writ petition.

After retirement, the 2nd respondent is entitled to the retirement benefits. If the petitioner has contracted any loans for performing the marriages, the remedy is otherwise. But not asking this Court to stop the payments of the retirement benefits to the 2nd respondent. The 2nd respondent is entitled to all the retirement benefits and the disputes inter se between the petitioner and the 2nd respondent have to be decided by an appropriate forum.

So, the writ petition is totally devoid of merits and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. In the circumstances, there shall be no order as to costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Executive officer (General),
   (POTU) TTD, Administration Building,
   Tirupathi.

2. Two CD Copies.

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